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Attorneys for Plaintiffs

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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9
10 MARY J. KINCAID-CHAUNCEY,
Plaintiffs,
11 v.

Case No.: 2-24-cv-00464-CDS-DJA

**MOTION TO WITHDRAW AS
COUNSEL**

12 SMITH'S FOOD & DRUG CENTERS, INC., a
13 Foreign Corporation; DOE EMPLOYEE, an
individual; DOES I through XX, inclusive; and ROE
14 BUSINESS ENTITIES I through XX, inclusive,
15 Defendants.

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17 RACHEAL A. ROSS, ESQ., respectfully moves this Court for an Order permitting
18 RACHEAL A. ROSS, ESQ. ("Ms. Ross"), who has appeared in these proceedings, to withdraw as
19 counsel of record for Plaintiff, Mary J. Kincaid-Chauncey ("Plaintiff"), in the above captioned
20 matter.

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1 This Motion is made based upon the Memorandum of Points and authorities submitted
2 herein.

3 DATED this 5th day of June, 2024.

4 **PANISH | SHEA | RAVIPUDI LLP**

5 /s/ Racheal A. Ross, Esq.
6 RACHEAL A. ROSS, ESQ.
7 Nevada Bar No. 14943
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MEMORANDUM OF POINTS AND AUTHORITIES

Ms. Ross is no longer employed by the law firm of Sgro & Roger, nor has Ms. Ross been retained to represent Plaintiff as outside counsel in the above captioned matter, or any other pending case or matter before this Court on behalf of Plaintiff. The United States District Court District of Nevada (“USDCNV”) Local Rule IA 11-6 (a) provides that, “No attorney may withdraw after appearing in a case except by leave of court after notice served on the affected client and opposing counsel.” Ms. Ross’s withdrawal from this case will have no effect on the Plaintiff as Plaintiff is still being represented by Sgro & Roger, as listed on the Court’s CM/ECF system. However, in accordance with the Rule, Plaintiff will receive notice of Ms. Ross’s intent to withdraw via her current counsel who has filed an appearance in this case, Joshua D. Judd, Esq., of Sgro & Roger. Additionally, opposing counsel in this case will receive notice of this Motion to Withdraw via the CM/ECF system, pursuant to the certificate of service attached herein.

Finally, USDCNV Local Rule IA 11-6(e) provides that “no withdrawal ... shall be approved if delay of discovery, the trial or any hearing in the case would result.” Here, no delay of any kind will result from Ms. Ross’s withdrawal because the Plaintiff in this matter is still represented by Sgro & Roger, having previously appeared before this Court. Ms. Ross’s withdrawal will not prejudice either party or delay any proceeding in this matter. Ms. Ross files the present motion in compliance of the rules in order to accurately reflect she is not representing Plaintiff.

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CONCLUSION

For the reasons set forth above, Ms. Ross respectfully moves this Honorable Court enter an Order approving the withdrawal of Ms. Ross as a representing attorney for the Plaintiff in the instant matter and for removal from the CM/ECF service list.

DATED this 5th day of June, 2024.

PANISH | SHEA | RAVIPUDI LLP

/s/ Racheal A. Ross, Esq.
RACHEAL A. ROSS, ESQ.
Nevada Bar No. 14943

IT IS THEREFORE ORDERED that Racheal A. Ross, Esq.'s motion to withdraw (ECF No. 14) is **GRANTED**. The Clerk of Court is kindly directed to remove Racheal A. Ross, Esq. from the service list for this case.



DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE

DATED: June 6, 2024

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PANISH SHEA RAVIPUDI LLP, and that on June 5,, 2024, I caused to be served via the Court's e-filing/e-service system, a true and correct copy of the foregoing Motion to Withdraw as Counsel, to all parties registered for electronic service.

 /s/Isolde Parr

An employee of PANISH SHEA RAVIPUDI LLP

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